

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1292 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE PRADIP KUMAR SARKAR

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

KESHUBHAI S PATEL

Versus

STATE OF GUJARAT

Appearance:

MR D.C. Rawal for MR ANAND for Petitioner
Mr. S.K. Patel, Ld.GOV'T PLEADER for Respondent No. 1
MR SN SHELAT for Respondent No. 2
MR MK DAVE for Respondent No. 3

CORAM : MR.JUSTICE PRADIP KUMAR SARKAR

Date of decision: 05/05/2000

ORAL JUDGEMENT

Heard Mr. D.C. Rawal, learned counsel for the
petitioner, Mr. Mazgaonkar, learned counsel representing
the University and learned AGP Mr. S.K. Patel for the

respondent State.

2. Petitioner challenged the order of the University derecognising him as a teacher for a period of six months during the first part of the academic term 1988-89. After filing the present writ petition the petitioner obtained the interim order and the order of de-recognising him as a teacher for a period of six months has been stayed by this Court. The University having felt aggrieved by the order filed LPA before the Division Bench of this Court. The Division Bench by its order dated 28-4-1989 directed that the matter should be heard expeditiously. However, the Division Bench did not interfere with the interim order passed by this Court.

3. In pursuance of the interim order the de-recognition of teachership of the petitioner was suspended and the period for which he was suspended has by now expired long back. It is also submitted by learned counsel for the petitioner that the petitioner has also retired from service. Learned counsel consequently submitted that the matter has now become infructuous and the punishment of de-recognising the petitioner as a teacher for the first six months of the academic year 1988-89 has long expired, and the petitioner has also retired from service. I am of the view that since the period of de-recognition has expired long back and the petitioner also retired from service, present petition has become infructuous, and accordingly the petition is dismissed. Rule discharged. Interim relief granted earlier shall stand vacated. No order as to costs.

Dt: 5-5-2000

(P.K. Sarkar, J)

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